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TAGS: [KTIP](#) [ELAB](#) [KCRM](#) [KPAO](#) [KWMN](#) [PGOV](#) [PHUM](#) [PREL](#) [SMIG](#) [MR](#)  
SUBJECT: MAURITANIA -- 2009 TIP REPORT: PRESS GUIDANCE AND  
DEMARCHE

REF: A. (A) STATE 59732  
[1](#)B. (B) STATE 005577

[1](#)1. This is an action cable; see paras 5 through 7 and 10.

[1](#)2. On June 16, 2009, at 10:00 a.m. EDT, the Secretary will release the 2009 Trafficking in Persons (TIP) Report at a press conference in the Department's press briefing room. This release will receive substantial coverage in domestic and foreign news outlets. Until the time of the Secretary's June 16 press conference, any public release of the Report or country narratives contained therein is prohibited.

[1](#)3. The Department is hereby providing Post with advance press guidance to be used on June 16 or thereafter. Also provided is demarche language to be used in informing the Government of Mauritania of its tier ranking and the TIP Report's imminent release. The text of the TIP Report country narrative is provided, both for use in informing the Government of Mauritania, and in any local media release by Post's public affairs section on June 16 or thereafter. Drawing on information provided below in paras 8 and 9, Post may provide the host government with the text of the TIP Report narrative no earlier than 1200 noon local time Monday June 15 for WHA, AF, EUR, and NEA countries and OOB local time Tuesday June 16 for SCA and EAP posts. Please note, however, that any public release of the Report's information should not/precede the Secretary's release at 10:00 am EDT on June 16.

[1](#)4. The entire TIP Report will be available on-line at [www.state.gov/g/tip](http://www.state.gov/g/tip) shortly after the Secretary's June 16 release. Hard copies of the Report will be pouched to posts in all countries appearing on the Report. The Secretary's statement at the June 16 press event, and the statement of and fielding of media questions by G/TIP,s Director and Senior Advisor to the Secretary, Ambassador-at-Large Luis CdeBaca, will be available on the Department's website shortly after the June 16 event. Ambassador de Baca will also hold a general briefing for officials of foreign embassies in Washington DC on June 17 at 3:30 pm EDT.

[1](#)5. Action Request: No earlier than 12 noon local time on Monday June 15 for WHA, AF, EUR, and NEA posts and OOB local time on Tuesday June 16 for SCA and EAP posts, please inform the appropriate official in the Government of Mauritania of the June 16 release of the 2009 TIP Report, drawing on the points in para 9 (at Post's discretion) and including the text of the country narrative provided in para 8. For countries where the State Department has lowered the tier ranking, it is particularly important to advise governments prior to the Report being released in Washington on June 16.

[1](#)6. Action Request continued: Please note that, for those countries which will not receive an "action plan" with specific recommendations for improvement, posts should draw host governments' attention to the areas for improvement identified in the 2009 Report, especially highlighted in the "Recommendations" section of the second paragraph of the narrative text. This engagement is important to establishing

the framework in which the government's performance will be judged for the 2010 Report. If posts have questions about which governments will receive an action plan, or how they may follow up on the recommendations in the 2009 Report, please contact G/TIP and the appropriate regional bureau.

¶7. Action Request continued: On June 16, please be prepared to answer media inquiries on the Report's release using the press guidance provided in para 11. If Post wishes, a local press statement may be released on or after 10:30 am EDT June 16, drawing on the press guidance and the text of the TIP Report's country narrative provided in para 8.

¶8. Begin Final Text of Mauritania,s country narrative in the 2009 TIP Report:

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Mauritania (TIER 3)  
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Mauritania is a source and destination country for children trafficked for forced labor and sexual exploitation. Slavery-related practices, rooted in ancestral master-slave relationships, continue to exist in isolated parts of the country. Mauritanian boys called talibe are trafficked within the country by religious teachers for forced begging. Children are also trafficked by street gangs within the country that force them to steal, beg, and sell drugs. Girls are trafficked internally for domestic servitude and sexual exploitation. Mauritanian children may also be trafficked for forced agricultural and construction labor, herding, and for forced labor in the fishing industry within the country. Boys from Mali and Senegal are trafficked to Mauritania for forced begging by religious teachers. Senegalese and Malian girls are trafficked to Mauritania for domestic servitude and forced prostitution. Ghanaian and Nigerian women and girls may be trafficked to Mauritania for sexual exploitation. Reports indicate that while some slaves are forced by their masters to remain in conditions of servitude, others stay with their masters because they lack land and other means to live freely.

The Government of Mauritania does not fully comply with the minimum standards for the elimination of trafficking and is not making significant efforts to do so. The government did not show evidence of overall progress in prosecuting and punishing trafficking offenders, protecting trafficking victims, and preventing new incidents of trafficking. Progress that the previous government demonstrated in 2007 through enactment of strengthened anti-slavery legislation and deepened political will to eliminate slavery and trafficking has stalled.

Recommendations for Mauritania: Improve on the current void of anti-trafficking law enforcement efforts by investigating and prosecuting slavery and other trafficking offenses, and convicting and punishing trafficking offenders; consider measures to allow NGOs to file complaints on behalf of slaves; provide slaves with land and other resources to live freely; increase assistance to child trafficking victims; end the practice of penalizing children trafficked in prostitution by placing them in prison and train authorities to identify trafficking victims among children detained for criminal conduct and illegal migrants; and increase efforts to educate the public about slavery and trafficking.

Prosecution  
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The Government of Mauritania decreased its law enforcement efforts to address human trafficking, including traditional slavery practices. Mauritanian law prohibits all forms of trafficking through its 2003 Law Against Trafficking in Persons, which prescribes penalties of from five to 10 years, imprisonment that are sufficiently stringent and exceed those prescribed for rape. Slavery is prohibited by Law number 2007-048, which was enacted in September 2007. This law defines slavery and prescribes an adequate penalty

of from five to 10 years, imprisonment. It supplements a 1981 anti-slavery ordinance that failed to prescribe penalties or define slavery and it repeals a provision in the ordinance compensating slave owners for the liberation of their slaves. The law's effectiveness, however, is hampered by its requirement that slaves file a legal complaint before a prosecution may be pursued. The law also bars NGOs from filing complaints on behalf of slaves. Because many slaves are illiterate, they are often unable to complete the paperwork to file a legal complaint. Although the government in 2007 pledged \$7.5 million to combat slavery, a portion of which was allocated to enforcing the new anti-slavery law, the government failed to enforce this law. The government reported no arrests or prosecutions of slave holders or trafficking offenders during the year. Although there were cases of slaves breaking free of masters, no legal action was taken against the masters.

The Ministry of Justice (MOJ) reportedly issued a directive for the enforcement of the new anti-slavery law. The ministry also reported to have sent delegations to all regions of the country to educate local authorities about the law. Local NGOs, however, were unaware of these initiatives.

Labor inspectors lack the basic resources, such as transport and office equipment, needed to investigate forced labor cases. In May 2008, the MOJ collaborated with UNICEF to host a child trafficking seminar for judges and law enforcement officials.

#### Protection

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The Government of Mauritania demonstrated weak efforts to protect victims of human trafficking, including slavery. Although the government promised in 2007 to allocate funds in the 2008 budget to provide former slaves with land and other resources for their reintegration, this commitment was not fulfilled; no government programs assisted former slaves during the year. The government closed six centers that it jointly funded with a donor in Nouakchott to provide care to indigent children, many of whom were talibe.

The government did not encourage victims to assist in trafficking investigations or prosecutions. Mauritania does not provide legal alternatives to the removal of foreign victims to countries where they face hardship or retribution.

Victims are inappropriately incarcerated or otherwise penalized for unlawful acts committed as a direct result of being trafficked. The government continued to place children in jail for stealing or engaging in commercial sexual activity, despite the fact that many of them are likely trafficking victims who have been forced into these activities. The government does not follow procedures to identify trafficking victims among illegal immigrants detained in a center in Nouadhibou, where conditions are extremely harsh.

#### Prevention

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The Government of Mauritania made inadequate efforts to raise awareness of trafficking during the last year. In November 2008, the Ministry of Labor collaborated with the ILO to organize a National Forum on Fundamental Labor Principles and Rights. The government has not taken steps to reduce the demand for forced and child labor, including trafficking and slavery, or demand for commercial sex acts.

19. Post may wish to deliver the following points, which offer technical and legal background on the TIP Report process, to the host government as a non-paper with the above TIP Report country narrative:

(begin non-paper)

-- The U.S. Congress, through its passage of the 2000 Trafficking Victims Protection Act, as amended (TVPA), requires the Secretary of State to submit an annual Report to Congress. The goal of this Report is to stimulate action and create partnerships around the world in the fight against

modern-day slavery. The USG approach to combating human trafficking follows the TVPA and the standards set forth in the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime (commonly known as the "Palermo Protocol"). The TVPA and the Palermo Protocol recognize that this is a crime in which the victims, labor or services (including in the "sex industry") are obtained or maintained through force, fraud, or coercion, whether overt or through psychological manipulation. While much attention has focused on international flows, both the TVPA and the Palermo Protocol focus on the exploitation of the victim, and do not require a showing that the victim was moved.

-- Recent amendments to the TVPA removed the requirement that only countries with a "significant number" of trafficking victims be included in the Report. Beginning with the 2009 TIP Report, countries determined to be a country of origin, transit, or destination for victims of severe forms of trafficking are included in the Report and assigned to one of three tiers. Countries assessed as meeting the "minimum standards for the elimination of severe forms of trafficking" set forth in the TVPA are classified as Tier 1. Countries assessed as not fully complying with the minimum standards, but making significant efforts to meet those minimum standards are classified as Tier 2. Countries assessed as neither complying with the minimum standards nor making significant efforts to do so are classified as Tier 3.

-- The TVPA also requires the Secretary of State to provide a "Special Watch List" to Congress later in the year. Anti-trafficking efforts of the countries on this list are to be evaluated again in an Interim Assessment that the Secretary of State must provide to Congress by February 1 of each year. Countries are included on the "Special Watch List" if they move up in "tier" rankings in the annual TIP Report -- from 3 to 2 or from 2 to 1 ) or if they have been placed on the Tier 2 Watch List.

-- Tier 2 Watch List consists of Tier 2 countries determined: (1) not to have made "increasing efforts" to combat human trafficking over the past year; (2) to be making significant efforts based on commitments of anti-trafficking reforms over the next year, or (3) to have a very significant number of trafficking victims or a significantly increasing victim population. As indicated in reftel B, the TVPRA of 2008 contains a provision requiring that a country that has been included on Tier 2 Watch List for two consecutive years after the date of enactment of the TVPRA of 2008 be ranked as Tier 3. Thus, any automatic downgrade to Tier 3 pursuant to this provision would take place, at the earliest, in the 2011 TIP Report (i.e., a country would have to be ranked Tier 2 Watch List in the 2009 and 2010 Reports before being subject to Tier 3 in the 2011 Report). The new law allows for a waiver of this provision for up to two additional years upon a determination by the President that the country has developed and devoted sufficient resources to a written plan to make significant efforts to bring itself into compliance with the minimum standards.

-- Countries classified as Tier 3 may be subject to statutory restrictions for the subsequent fiscal year on non-humanitarian and non-trade-related foreign assistance and, in some circumstances, withholding of funding for participation by government officials or employees in educational and cultural exchange programs. In addition, the President could instruct the U.S. executive directors to international financial institutions to oppose loans or other utilization of funds (other than for humanitarian, trade-related or certain types of development assistance) with respect to countries on Tier 3. Countries classified as Tier 3 that take strong action within 90 days of the Report's release to show significant efforts against trafficking in persons, and thereby warrant a reassessment of their Tier classification, would avoid such sanctions. Guidelines for such actions are in the DOS-crafted action plans to be shared by Posts with host governments.

-- The 2009 TIP Report, issuing as it does in the midst of the global financial crisis, highlights high levels of trafficking for forced labor in many parts of the world and systemic contributing factors to this phenomenon: fraudulent recruitment practices and excessive recruiting fees in workers, home countries; the lack of adequate labor protections in both sending and receiving countries; and the flawed design of some destination countries, "sponsorship systems" that do not give foreign workers adequate legal recourse when faced with conditions of forced labor. As the May 2009 ILO Global Report on Forced Labor concluded, forced labor victims suffer approximately \$20 billion in losses, and traffickers, profits are estimated at \$31 billion. The current global financial crisis threatens to increase the number of victims of forced labor and increase the associated "cost of coercion."

-- The text of the TVPA and amendments can be found on website [www.state.gov/g/tip](http://www.state.gov/g/tip).

-- On June 16, 2009, the Secretary of State will release the ninth annual TIP Report in a public event at the State Department. We are providing you an advance copy of your country's narrative in that report. Please keep this information embargoed until 10:00 am Washington DC time June 16. The State Department will also hold a general briefing for officials of foreign embassies in Washington DC on June 17 at 3:30 pm EDT.

(end non-paper)

110. Posts should make sure that the relevant country narrative is readily available on or through the Mission's web page in English and appropriate local language(s) as soon as possible after the TIP Report is released. Funding for translation costs will be handled as it was for the Human Rights Report. Posts needing financial assistance for translation costs should contact their regional bureau's EX office.

111. The following is press guidance provided for Post to use with local media.

Q1: Why is Mauritania on Tier 3?

A: The Government of Mauritania does not fully comply with the minimum standards for the elimination of trafficking and is not making significant efforts to do so. The government did not show evidence of overall progress in prosecuting and punishing trafficking offenders, protecting trafficking victims, and preventing new incidents of trafficking. Progress that the previous government demonstrated in 2007 through enactment of strengthened anti-slavery legislation and deepened political will to eliminate slavery and trafficking has stalled.

Q2: What progress has Mauritania made in the last year?

A: In May 2008, the Ministry of Justice collaborated with UNICEF to host a child trafficking seminar for judges and law enforcement officials. In November 2008, the Ministry of Labor collaborated with the ILO to organize a National Forum on Fundamental Labor Principles and Rights.

Q3: What can Mauritania do to further the fight against trafficking in persons?

A: Improve on the current void of anti-trafficking law enforcement efforts by investigating and prosecuting slavery and other trafficking offenses, and convicting and punishing trafficking offenders; consider measures to allow NGOs to file complaints on behalf of slaves; provide slaves with land and other resources to live freely; increase assistance to child trafficking victims; end the practice of penalizing children trafficked in prostitution by placing them in prison and train authorities to identify trafficking victims among

children detained for criminal conduct and illegal migrants;  
and increase efforts to educate the public about slavery and  
trafficking.

[¶12](#). The Department appreciates posts, assistance with the  
preceding action requests.

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